

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

cation of:

Eisermann, et al.

Serial No.:10/773,814

Filed: February 6, 2004

For: Articular Disc Prosthesis for Transforaminal

Insertion

Attorney Docket No. 31132.42 / PC809.01

Customer No. 27683

Group Art Unit: 3738

Examiner: Unknown

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 C.F.R. §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed information are also enclosed. The undersigned first became aware of the cited patents by their inclusion in an International Search Report issued by the ISA/EP on PCT/US2004/004351, the PCT counterpart of the present application. A copy of the search report is enclosed.

This Information Disclosure Statement is being filed within three months of the United States filing date or before the mailing date of a first Office Action on the merits. No certification or fee is required (37 CFR §1.97(b)).

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted

David M. O'Dell

Registration No. 42,044

9-14-04 Date: HAYNES AND BOONE, LLP 901 Main Street, Suite 3100 Dallas, Texas 75202-3789 Telephone: 972 739-8635 Facsimile: 214-200-0853

File: 31132.42

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 15, 2004.

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U. S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

OF

(use as many sheets as necessary)

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1 200 12	Complete if Known	
Application Number	10/773,814	
Filing Barana	February 6, 2004	
Applicant(s)	Eisermann, et al.	
Art Unit	3738	
Examiner Name	Unknown	
Attorney Docket Number	31132.42	

U. S. PATENT DOCUMENTS						
Examiner's Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document		
	A1	2001/0016773 A1	08/23/2001	Serhan, et al.		
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FOREIGN PATENT DOCUMENTS					
Examiner's Initials	Cite No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date	Patentee or Applicant of Cited Document	Translation Y/N
	B1	FR 2 742 653 A1	06/27/1997	COLORADO SOCIETE A RESPONSABILITE LIMITEE	N
	B2	WO 01/01893 A1	01/11/2001	SPINE SOLUTIONS, INC., et al.	Abstract
	В3	WO 02/17823 A1	03/07/2002	Koo, et al.	Y
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NON-PATENT LITERATURE DOCUMENTS				
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published		
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Examiner		Date	-
Signature		Considered	
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